

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

WARDELL LEROY GILES,)	
)	
Plaintiff,)	
)	
v.)	Civ. No. 15-268-SLR
)	
JUSTIN KING, et al.,)	
)	
Defendants.)	

ORDER

WHEREAS, plaintiff, Wardell Leroy Giles ("plaintiff"), was a prisoner incarcerated at the Howard R. Young Correctional Institution, Wilmington, Delaware at the time he filed his complaint under 42 U.S.C. § 1983, along with an application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915;

WHEREAS, on June 11, 2015, the court entered an order, granted plaintiff leave to proceed in forma pauperis and assessed a filing fee of \$350.00 and an initial partial filing fee of \$4.50 (D.I. 9);

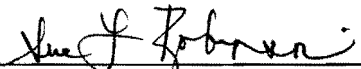
WHEREAS, on June 19, 2015, the court was advised that plaintiff had been released from prison;

WHEREAS, on August 5, 2015, the court ordered plaintiff, within twenty-one days from the date of the order, to pay the initial partial filing fee and to either file a long form application to proceed without prepayment of fees and affidavit so that the court may determine whether he is still eligible to proceed without prepayment of the \$350.00 filing fee or to pay the balance of filing fee owed after payment of the initial partial filing fee (D.I. 12);

WHEREAS, plaintiff was warned that failure to comply with the order would result in dismissal of the case;

WHEREAS, the time has lapsed and plaintiff has not complied with the court's order of August 5, 2015;

THEREFORE, at Wilmington this 29~~th~~ day of September, 2015, IT IS HEREBY ORDERED that the complaint is **dismissed** without prejudice and the Clerk of Court is directed to **close** the case.


UNITED STATES DISTRICT JUDGE